OGC 63-1108(b)

'ix Nov. 63

MEMORANDUM FOR: Deputy Director (Support)   STATINTL

SUBJECT: Approval of 1961 Travel [ ]

REFERENCE: Memo from Chief, EE Division, to DD/S, dtd 30 August 1963, same subject

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1. On 1 July 1963 we reviewed a claim for reimbursement to Miss [ ] who had returned from an extended tour of duty [ ] for her travel costs in February 1961 from [ ] to the United States and return of $466.90. We stated in a memorandum to Chief, EE Division, that although there would have been no question about Miss [ ] right to home   STATINTL leave had it been known at the time she would remain overseas until June 1963, ". . . the ordinary Government travel rules would preclude issuing a travel order for home leave two years after the travel has been completed."

2. On 20 September Mr. [ ] of your Office forwarded   STATINTL to us a memorandum addressed to you by Chief, EE Division, for approval of the claim in accordance with [ ]. In   STATINTL his memorandum C/EE pointed out the essential absence of justice in requiring this employee to bear the cost of her own home   STATINTL leave, although she remained abroad at the Agency's repeated request for about seven years.

3. While we could agree with the conclusion drawn by Chief, EE Division, that in the interest of good administration the Agency, should, whenever possible, avoid penalizing efficient, devoted and conscientious employees for revising their travel and other plans at Agency request, we could not see where his memorandum revealed new facts which would remove Miss [ ] case from   STATINTL application of the ordinary Government travel rules and would bring it within the approval authority of [ ] Therefore, we   STATINTL

decided to take the case to the General Accounting Office for an informal opinion. After discussions on the merits of the case (presented hypothetically), representatives of GAO have concluded that the Agency may reimburse Miss [   ] for the trip despite   STATINTL the tardiness of the claim and the many rules prohibiting retroactive travel claims. They wished to stress that this ruling should be applied only to this case and that any such claims in the future must be reviewed on a case-by-case basis at a senior level. They were impressed with the great merit of her claim.

4. In light of this informal Comptroller General opinion we would no longer have legal objection to reimbursement of

STATINTL   Miss [   ] claim.

/S/

[   ]   STATINTL
Office of General Counsel

Attachments - Background papers
cc: Chief, EE Division